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7 **IN THE SUPREME COURT OF THE STATE OF ARIZONA**

8 In the Matter of:

9 PETITION TO ELIMINATE RULES
10 67(d) AND (f), ARIZONA RULES OF
11 CIVIL PROCEDURE
12
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Supreme Court No. R-13-0044

**Comment to Petition to Eliminate
Rules 67(d) and (f), Arizona Rules of
Civil Procedure**

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15 Pursuant to Rule 28(D), Rules of Supreme Court, **Michael Fairbairn Córdoba**
16 respectfully submits this Comment for the Court's consideration.
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18 **I. Reasons Petition R-13-0044 Should Be Adopted**

- 19 1. Rules 67(d) and (f) impose financial requirements arbitrarily on plaintiffs who do not
20 own property in the State of Arizona.
21 2. These rules are discriminatory and create two classes of plaintiffs.
22 3. This obvious discrimination diminishes the public's confidence in an impartial and fair
23 judicial system in the State of Arizona.
24 4. Many lawyers and judges in Arizona have acknowledged the fundamental unfairness of
25 these cost bond rules for the past several decades.
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1 5. However, the opinion in *Thiele v. City of Phoenix*, 232 Ariz. 40, 301 (App. 2013)
2 (Petition for review denied Jan. 7, 2014) overruled a *pro per* litigant's constitutional objections
3 to the cost bond rules.

4 6. Since Thiele, the mechanism allowed for by Rules 67(d) and (f) have come into more
5 prominent use.

6 7. Therefore, the Court should support Petition R-13-0044 and eliminate cost bonds.
7 These are outdated and discriminatory rules.

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9 RESPECTFULLY SUBMITTED this 6th day of March, 2014.
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12 /s/ Michael Fairbairn Córdova
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